IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 15081 of 2005

Between:

T. Leelavathi, W/o. Vijay Kumar,
R/o. Bhaskarapuram, Machilipatnam, Krishna District,

..... PETITIONER

AND

1 The District Collector, Krishna, Machilipatnam,
2 The Revenue Divisional Officer, Machilipatnam,Krishna District,
3 The Mandal Revenue Officer, Movva Mandal, Krishna District,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in proposing to assign my private land extent being Ac. 2-00 cents in R.S.No. 50-1 of Nidumolu Village of Movva Mandal, Krishna District, under the pretest that the same being the Government land as arbitrary, illegal and contrary to the provision of Article 300(A) of the Constitution of India.

Counsel for the Petitioner: MR.B.SOMASEKHAR

Counsel for the Respondents: GP FOR REVENUE

This Court at the admission stage made the following:

ORDER:

The petitioner seeks a Mandamus declaring the action of the respondents in proposing to assign the land belonging to the petitioner to an extent of Ac.2-00 cents in Survey No.50-1 of Nidumolu village of Movva Mandal, Krishna District, on the ground that the said land belongs to Government, as illegal and arbitrary.

The petitioner stated that on 21-07-1984, she purchased the land-in-question from one Smt. Chiguluri Venkata Lakshmi Samrajyam, W/o Ranga Rao of Mantripalem Village of Movva Mandal. It is stated that since the date of purchase she has been in possession and enjoyment of the said land by cultivating the same and by paying land revenue to the Government. In 1995, pattadar passbook and title deed were issued in her favour in respect of the land-in-question. While so, on 02-07-2005, staff of the third respondent including the Mandal Surveyor took measurements of the said land and stated that the said land belongs to the Government and that the same would be distributed to the landless poor persons under Land Distribution Scheme. Therefore, on 04-07-2005, the petitioner made a representation to the respondents bringing the above facts to their notice and enclosed the Xerox copies of the sale deed, pattadar pass book and title deed. However, no further steps have been taken by

the respondents so far. Hence, the writ petition.

Having heard the learned counsel for the petitioner, the learned Government Pleader appearing for the respondents and perused the material available on record, and in view of the facts and circumstances of the case, especially in view of the fact that the representation made by the petitioner is pending before the respondents, without expressing any opinion on the merits of the case, I deem it appropriate to direct the respondents to consider the said representation.

The writ petition is accordingly disposed of directing the respondents to consider the representation, dated 04-07-2005, submitted by the petitioner and pass appropriate orders after giving due opportunity to the petitioner, in accordance with law, within a period of eight weeks from he date of receipt of a copy of this order. Till such time, the respondents are directed not to interfere with the possession of the petitioner in respect of the land-in-question. No costs.

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(ELIPE DHARMA RAO, J)

Date:13-07-2005

Note:

Issue operative portion by wire at party's costs.

B/o

ghn

To

1 The District Collector, Krishna, Machilipatnam,
2 The Revenue Divisional Officer, Machilipatnam,Krishna District,

3 The Mandal Revenue Officer, Movva Mandal, Krishna District,

4 Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad. (O.U.T.)

5 Two CD copies.